

Notice of Allowability

Application No.

09/823,105

Applicant(s)

LUEH, GUEI-YUAN

Examiner

Mary J. Steelman

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/13/2005.
2. ☒ The allowed claim(s) is/are 1-38.
3. ☒ The drawings filed on 30 March 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date Fax 4/13/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TUAN DAM
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1. This Office Action is in response to the filing of an Appeal Brief 14 January 2005, and subsequent faxed correspondence with Applicant's representative 13 April 2005. The prior final office action, dated 3 August 2004 is hereby withdrawn. Per Applicant's request, 29 September 2004, the Specification has been amended. By Examiner's Amendment that follows, claims 1, 8, 16, and 31 are amended. Claims 1-38 are pending.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview and faxed correspondence with Thinh V. Nguyen, Reg. No. 42,034 on 13 April 2005, to better clarify and/or define claimed invention and, accordingly, to put the claims in condition for allowance.

The application has been amended as follows:

By this Examiner's Amendment, claims 1, 8, 16, and 31 are amended.

IN THE CLAIMS:

1. (currently amended) A method comprising:

compiling a function including a byte code sequence having a field byte code that accesses or modifies a field, the compiled function providing a native code and occupying a code space;

generating in instrumentation code corresponding to a field watch of the accessed or modified field, the instrumentation code including code for executing an event hook function;

guarding execution of the instrumentation code if the field watch is not activated; and

inserting the instrumentation code to the native code.
8. (currently amended) The method of claim 2 wherein executing the field watch sequence comprises:

saving live global state, the live global state corresponding to an active register;

executing ~~an~~ the event hook function for an event corresponding to the field watch; and

restoring the live global state.
16. (currently amended) A computer program product comprising:

a machine useable medium having computer program code embedded therein, the computer program product having:

Art Unit: 2191

computer readable program code to compile a function including a byte code sequence having a field byte code that accesses or modifies a field, the compiled function providing a native code occupying a code space;

computer readable program code to generate an instrumentation code corresponding to a field watch of the accessed or modified field, the instrumentation code including code for executing an event hook function;

computer readable program code to guard execution of the instrumentation code if the field watch is not activated; and

computer readable program code to insert the instrumentation code to the native code.

31. (currently amended) A system comprising:

a processor;

a memory coupled to the processor, the memory storing instruction code, the instruction code, when executed by the processor, causing the processor to:

compile a function including a byte code sequence having a field byte code that accesses or modifies a field, the compiled function providing a native code an occupying a code space,

generate an instrumentation code corresponding to a field watch of the accessed or modified field, the instrumentation code including code for executing an event hook function;

guard execution of the instrumentation code if the field watch is not activated, and

insert the instrumentation code to the native code.

--THE END--

3. The following is an examiner's statement of reasons for allowance:

It has been clarified to Examiner that the generation of instrumentation code (step 510) includes the generation of an executable field watch sequence (520). As Applicant has pointed out in comments provided in Remarks, dated 29 September 2004, page 12, 3rd and 4th paragraphs, neither Angel nor Copperman, nor cited prior arts, taken alone or in combination disclose or suggest "a field byte code that accesses or modifies a field and generating an instrumentation code corresponding to a field watch of the field," as recited in independent claim 1 and similarly in independent claims 16 and 31. Thus all dependent claims, claims 2-15, 17-30, 32-38, are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan

Art Unit: 2191

Q. Dam can be reached at (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

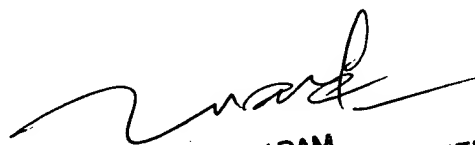
Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman



05/23/2005



TUAN DAM
SUPERVISORY PATENT EXAMINER